GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Integrated Check Post of Commercial Taxes, RTA, Agricultural Market Committee and Forest Departments, Naraharipeta, Chittoor District on 03-06-2016 – Allegations of Corruption – Common disciplinary proceedings initiated – Inquiry under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges framed against Sri Bandlapalli Sreehari, Assistant Motor Vehicle Inspector, Integrated Check Post, Transport Department, Naraharipeta, Chittoor District - Orders – Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.524 **Dated:19-04-2018**

Read the following:

Ref: 1. From Director General, Anti Corruption Bureau, A.P, Lr.Rc.No.58/DES-TCT/2016, dated:10-02-2017.
2. From DG, ACB, AP Lr.Rc.No.58/DES-TCT/2016, dt:19-02-2018.
3. G.O.Ms.No.170, Rev (Vig–II) Dept., Dated:19-04-2018.

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O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 3rd read above, it is considered necessary to hold an enquiry against Sri Bandlapalli Sreehari, Assistant Motor Vehicle Inspector, Integrated Check Post, Transport Department, Naraharipeta, Chittoor District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Bandlapalli Sreehari, Assistant Motor Vehicle Inspector, Integrated Check Post, Transport Department, Naraharipeta, Chittoor District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Bandlapalli Sreehari, Assistant Motor Vehicle Inspector, Integrated Check Post, Transport Department, Naraharipeta, Chittoor District is further informed that if he does not submit his written statement of defence on or before the date specified in para 2 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules the Inquiring Authority may hold the inquiry against him ex-parte.

6. Attention of Sri Bandlapalli Sreehari, Assistant Motor Vehicle Inspector, Integrated Check Post, Transport Department, Naraharipeta, Chittoor District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt

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with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To

Sri Bandlapalli Sreehari, Assistant Motor Vehicle Inspector, Integrated Check Post, Transport Department, Naraharipeta, Chittoor District (with Enclosers Annexures I to IV)

through Transport, Roads & Buildings (Vig.TR) Department, Secretariat, velagapudi. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Commissioner of Transport Department, Andhra Pradesh, Pandit Nehru Bus Station, NTR Administrative Block, 3rd Floor, Vijayawada.

The Transport Roads & Building (Vig.TR) Department, Secretariat, Velagapudi.

The Secretary to Vigilance Commissioner,
Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Andhra Pradesh, Pandit Nehru Bus Station, NTR Administrative Block, 2nd Floor, Vijayawada.

SF / SC.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE -I

ARTICLE CHARGES FRAMED AGAINST SRI BANDLAPALLI SREEHARI, AGE 46 YRS, ASSISTANT MOTOR VEHICLE INSPECTOR, INTEGRATED CHECK POST, R.T.A DEPARTMENT, NARAHARIPETA, CHITTOOR DISTRICT.

That Sri. B.Sreehari having joined Government service as Junior Assistant on 08-08-2000 in the Deputy Commercial Taxes office and got promoted as Assistant Motor Vehicle Inspector on 05-03-2012. He worked in the above capacities at various places in Chittoor District and Anantapuramu District. He worked as Assistant Motor Vehicle Inspector, Integrated Check Post, Commercial Taxes Department, Naraharipeta, Chittoor District from 28-08-2015 to 03-06-2016, here in after called Government Servant. (G.S)

CHARGE:1

That Sri. B.Sreehari was working as Assistant Motor Vehicle Inspector, being a supervisory officer failed to take all possible steps to ensure the integrity and devotion to duty of the Government servant. Thus the total unaccounted amount which was collected from the Drivers/Cleaners of the lorries who passes the check post by the officials of the check post as bribes and the Government servant failed to account for the same.

CHARGE:2

That Sri. B.Sreehari was working as Assistant Motor Vehicle Inspector, engaged in corrupt practices and an amount of Rs. 3,800/- was found in bushes, behind the RTA check post of Naraharipeta.

Thus, Sri. B.Sreehari by his mentioned acts as exhibited lack of supervision lack of integrity, devotion to duty, conduct unbecoming of a Government Servant and there by contravened Rule 3(1),(2), (5) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCOUNDUCT AND MISBEHAVIOUR IN SUPORT OF THE ARTICLE CHARGES FRAMED AGAINST SRI BANKLAPALLI SREEHARI, AGE 46 YRS, ASSISTANT MOTOR VEHICLE INSPECTOR, INTEGRATED CHECK POST, R.T.A DEPARTMENT, NARAHARPETA, CHITTOOR DISTRICT.

Sri B.Sreehari is a native of Kadiri, Anantapuramu District. His date of birth is 02-01-1970. He entered into Government Service as Junior Assistant on 08-08-2000 in the Deputy Commercial Taxes officer and got promoted as Assistant Motor Vehicle Inspector on 05-03-2012. He worked in the above capacities at various places in Chittoor District and Anantapuramu District. He worked as Assistant Motor Vehicle Inspector, Integrated Check Post, Commercial Taxes Department, Naraharipeta, Chittoor District from 28-08-2015 to 03-06-2016. He was drawing a basic pay of Rs.35,120/- in the scale of pay Rs.31,460/- to 84,970/- as on 03-06-2016. His superannuation is on 31-01-2030. He is here-in-after referred as Government Servant (G.S).

CHARGE:1

That the Government Servant Sri B.Sreehari, while he was working as Assistant Motor Vehicle Inspector, from 28-08-2015 to 03-06-2016, he has committed grave misconduct in as much as being a supervisory officer failed to take all possible steps to ensure the integrity and devotion to duty of the Government servant. Thus SO Violated the provisions laid down under Rule 3(1), (2) and 5 of Andhra Pradesh Civil Services (Conduct) Rules, 1964. Thus the total unaccounted amount which was collected from the Drivers/Cleaners of the lorries who passes the check post by the officials of the check post as bribes and the Government servant failed to account for the same.

FACTS AND EVIDENCE:-

The surprise check conducted by Anti Corruption Bureau officials on the Integrated check post of commercial Taxes, Naraharipeta, Chittoor District on 03-06-2016. He collision with other staff, at the check post for operating barricades at the check post and also allowed to collect illegal amounts in the check post from the drivers/cleaners of the vehicles passing through the check post.

As per the Rule 3(5) of Andhra Pradesh Civil Services conduct Rules, 1964, the Government servant Sri B.Sreehari who being the incharge of the check post shall take all possible steps to ensure the integrity and devotion to duty as a Government Servant. Whereas the Government Servant showed utter disregard to these conduct rules and failed as supervisory officer.

CHARGE:-2

That the Government Servant Sri B.Sreehari, while he was working as Assistant Motor Vehicle Inspector, from 28-08-2015 to 03-06-2016, he engaged corrupt practices an amount of Rs.3,800/- was found from bushes of behind the RTA check post. Thus the total unaccounted amount which was collected from the Drivers/Cleaners of the lorries who passes the check post by the officials of the check post as bribes and the Government servant failed to account for the same.

FACTS AND EVEIDENCE:-

The surprise check conducted by Anti Corruption Bureau officials on the Integrated Check post of RTA Department, Naraharipeta, Chittoor District on 03-06-2016. Then the Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati instructed his staff to check the Government cash collected from the vehicle drivers in the form of user charges by RTA

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department. The amounts present in the counters were found tallied with the registers maintained by the respective departments and the same was returned to them under proper acknowledgment, after due attestations by the mediators and the Deputy Superintendent of Police. Then the Deputy Superintendent of Police instructed the Assistant Motor Vehicle Inspector to attend his routine work at RTA Check post.

Then the Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati instructed the Anti Corruption Bureau staff and mediators to check the check post premises. Upon that an unaccounted amount of Rs.3800/- is found in the bushes present on the Western side of the RTA building. Thus the Deputy Superintendent of Police, Anti Corruption Bureau seized a total unaccounted amount of Rs.3,800/- for taking further action in the presence of mediators.

The Deputy Superintendent of Police, Anti Corruption Bureau examined the following lorry drivers/cleaners and their statements were recorded.

(1) Sri.Sreeramulu Subramanyam, S/o Sreeramulu, age 37 years, Driver of Lorry TN 02 BB6603, R/o Mittaindly, Kommasamudram post, Gudipala mandal, Chittoor District, Cell No: 95736288169.

(2) Sri Aravapalle Anandakumar, S/o A. Uthanna, age 21 years, Cleaner of lorry driver AP 02 Y 9200, R/o 4-41, Kokanti cross, Tanakallu mandal, Anantapur District, Cell 9676254059.

(3) Sri Gundla Chintha Anjaneyulu, S/o G. Uthanna, age 23 years, Cleaner of lorry driver AP 02 Y 8434, R/o, Kokanti cross, Tanakallu mandal, Anantapur District, Cell 9100720069.

The gist of their statements is that they regularly used to pass through this Integrated Check Post, Naraharipet, Chittor district for that they need to get it verify their records by the check post officials and get stamp on the papers. For that even though they are having all the valid records the check post officials at the check post used to collect Rs. 50 to 100/- per vehicle to pass through their check post, if they does not pay at counters, they will be harassed in the name of checking and imposing penal fee etc., facts.

During the surprise check the registers were checked and seized by the Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati Range, Tirupati in the presence of Mediators.

The facts and material gathered so revealed that the Government Servant Sri. B.Sreehari, Assistant Motor Vehicle Inspector, Integrated Check Post, R.T.A Department, Naraharipeta, Chittoor District has committed the grave misconduct.

Thus the Government Servant Sri. B.Sreehari, by his above mentioned act has exhibited lack of supervision, lack of Integrity devotion to duty and conduct, unbecoming of Government Servant and their by violated Rule 3(1), (2), (5), of Andhra Pradesh Civil Services (conduct) Rules, 1964.

The Government Servant has therefore rendered himself liable for regular Departmental Action.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES:-

1. Sri Thupalli Samireddy Rajasekhar Reddy, S/o T.S. Ramakrishana Reddy, age 45 years, Assistant Divisional Engineer (O & M), O/o CMD, APSPDCL, Tirupati, R/o D.No. 9-18/A, Beside SEICOM College, Near Maruthi Nagar, Tirupti, Chittoor District, Cell No: 8332999181.(Medaitor)

2. Sri Sreepathi Ramesh, S/o Bhadraiah, age 41 years, Junior Accounts Officer, CPR Section, O/o CMD, APSPDCL, Tirupati, Chittoor District, R/o, H.No: 19-3-13/D, Kenedy Nagar, Tirupati, Chittoor District, Cell No: 8333900502. (Mediator)

3. Sri. A.Sankar Reddy, Deputy Superintendent of Police, Anti Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)

4. Sri. C.Lakshmikantha Reddy, Inspector of Police, Anti Corruption Bureau, Tirupati Range, Tirupati. (Investigating Officer)

5. The Dy. Commissioner of Commercial Taxes, Chittoor, Chittoor District.

6. Sri.Sreeramulu Subramanyam, S/o Sreeramulu, age 37 years, Driver of Lorry TN 02 BB6603, R/o Mittaindly, Kommasarnudram post, Gudipala mandal, Chittoor District, Cell No: 95736288169.

7. Sri Aravapalle Anandakumar, S/o A. Uthanna, age 21 years, Cleaner of lorry driver AP 02 Y 9200, R/o 4-41, Kokanti cross, Tanakallu mandal, Anantapur District, Cell 9676254059.

8. Sri Gundla Chintha Anjaneyulu, S/o G. Uthanna, age 23 years, Cleaner of lorry driver AP 02 Y 8434, R/o, Kokanti cross, Tanakallu mandal, Anantapur District, Cell 9100720069.

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

SECTION OFFICER

ANNEXURE-IV

LIST OF RECORDS / DOCUMENTS:-

1. Original surprise check proceedings drafted on 3-06-2016 from 21.00 hrs to 04-06-2016 at 01.15 hrs at the Integrated Check Post, Naraharipeta, Chittoor District.

2. Duty Register of Commercial Taxes Department, Forest and RTA Department of Integrated Check Post, Chittoor District.

3. Attendance Register of Agricultural Department of Integrated Check Post, Chittoor District.

4. Duty Register of HCL Engineers, Generators. Generator operators and data entry operators of Integrated Check Post, Chittoor District.

5. Reply letter Vide Rc.No.B1/277/ 2016, Dt:09-06-2016 of Deputy Commissioner, Commercial Taxes Department, Chittoor, Chittoor District.

6. Statement of Sri Sreeramulu Subramanyam, S/o Sreeramulu, age 37 years, Driver of Lorry TN 02 BB6603, R/o Mittaindly, Kommasamudram post, Gudipala mandal, Chittoor District, Cell No: 9573628816 9.

7. Statement of Sri Aravapalle Anandakumar, S/o A. Uthanna, age 21 years, Cleaner of lorry driver AP 02 Y 9200, R/o 4-41, Kokanti cross, Tanakallu Mandal, Anantapur District, Cell 9676254059.

8. Statement of Sri Gundla Chintha Anjaneyulu, S/o G. Uthanna, age 23 years, Cleaner of lorry driver AP 02 Y 8434, R/o, Kokanti cross, Tanakallu mandal, Anantapur District, Cell 9100720069.

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